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8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2014-44

13 **BRUCE ELVIN CURTIS**  
14 **11001 Gingerwood Way**  
15 **Rancho Cordova, California 95670**

**DEFAULT DECISION AND ORDER**

16 **Field Representative's License No. FR 33041**

[Gov. Code, §11520]

17 Respondent.

18 **FINDINGS OF FACT**

19 1. On or about March 7, 2014, Complainant Susan Saylor, in her official capacity as the  
20 Registrar/Executive Officer of the Structural Pest Control Board, Department of Consumer  
21 Affairs, filed Accusation No. 2014-44 against Bruce Elvin Curtis (Respondent) before the  
22 Structural Pest Control Board. (Accusation attached as Exhibit A.)

23 2. On or about January 12, 2001, the Structural Pest Control Board (Board) issued Field  
24 Representative's License No. FR 33041 to Respondent. The Field Representative's License was  
25 in full force and effect at all times relevant to the charges brought in Accusation No. 2014-44 and  
26 will expire on June 30, 2015, unless renewed.

27 3. On or about March 10, 2014, Respondent was served by Certified and First Class  
28 Mail copies of the Accusation No. 2014-44, Statement to Respondent, Notice of Defense, Request  
for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and

1 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code  
2 section 136, is required to be reported and maintained with the Board. Respondent's address of  
3 record was and is:

4 11001 Gingerwood Way  
5 Rancho Cordova, California 95670.

6 4. Service of the Accusation was effective as a matter of law under the provisions of  
7 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
8 124.

9 5. Government Code section 11506 states, in pertinent part:

10 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
11 files a notice of defense, and the notice shall be deemed a specific denial of all parts  
12 of the accusation not expressly admitted. Failure to file a notice of defense shall  
13 constitute a waiver of respondent's right to a hearing, but the agency in its discretion  
14 may nevertheless grant a hearing.

15 6. Respondent failed to file a Notice of Defense within 15 days after service upon him  
16 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.  
17 2014-44.

18 7. California Government Code section 11520 states, in pertinent part:

19 (a) If the respondent either fails to file a notice of defense or to appear at the  
20 hearing, the agency may take action based upon the respondent's express admissions  
21 or upon other evidence and affidavits may be used as evidence without any notice to  
22 respondent.

23 8. Pursuant to its authority under Government Code section 11520, the Board finds  
24 Respondent is in default. The Board will take action without further hearing and, based on the  
25 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
26 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
27 file at the Board's offices regarding the allegations contained in Accusation No. 2014-44, finds  
28 that the charges and allegations in Accusation No. 2014-44, are separately and severally, found to  
be true and correct by clear and convincing evidence.

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9. Taking official notice of its own internal records, pursuant to Business and Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation and Enforcement is \$1,642.50 as of September 23, 2014.

#### DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Bruce Elvin Curtis has subjected his Field Representative's License No. FR 33041 to discipline.

2. The agency has jurisdiction to adjudicate this case by default.

3. The Structural Pest Control Board is authorized to revoke Respondent's Field Representative's License based upon the following violations alleged in the Accusation which are supported by the evidence contained in the Default Decision Evidence Packet in this case.:

a. Respondent violated Business and Professions Code Section 8593 and California Code of Regulations, Title 16, section 1950, subdivision (a): in that he failed to verify that he completed courses of continuing education in pest control approved by the Board. Specifically, Respondent failed to submit copies of his continuing education certificates for the renewal period July 1, 2009, through June 30, 2012, as requested by the Board representative.

b. Respondent violated California Code of Regulations, Title 16, section 1950, subdivisions (b) in that he failed to complete the continuing education hours required by Regulation 1950, subdivision (d), for the renewal period July 1, 2009, through June 30, 2012.

c. Respondent violated Business and Professions Code section 8642, in that he committed a fraudulent act with the intent to substantially benefit himself or another, or substantially injure another. Specifically, as set forth in paragraphs 10 through 12, above, on or about June 22, 2012, Respondent represented under the penalty of perjury on his license renewal application that he successfully completed 134 hours of continuing education during his last renewal period, July 1, 2009, through June 30, 2012, when he had not.

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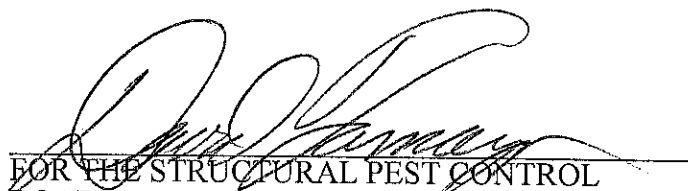
ORDER

IT IS SO ORDERED that Field Representative's License No. FR 33041, heretofore issued to Respondent Bruce Elvin Curtis, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on February 13, 2015.

It is so ORDERED January 14, 2015

  
FOR THE STRUCTURAL PEST CONTROL  
BOARD  
DEPARTMENT OF CONSUMER AFFAIRS

11504324.DOC  
DOJ Matter ID: SA2014114486

Attachment:  
Exhibit A: Accusation